

REMARKS

The Examiner has issued rejections of the claims under 35 U.S.C. 112, first and second paragraphs, and has objected to the prior amendment as entering new matter. Although applicant does not agree with the Examiner's position, applicant has amended the claims in accordance with the Examiner's comments to address these issues. Withdrawal of the rejections and objections are respectfully requested.

Claims 19-21, 27 and 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by Smith. Applicant respectfully traverses the rejection.

The claims have now been amended to clarify that the spindle is connected to and extends from a side of the closure member to which the pressure of the steam is applied and is arranged coaxially with the discharge flow flange. This feature is not disclosed in Smith.

The Examiner refers to the weld 58 of Smith as meeting the limitation that the spindle is connected to a side of the closure member to which pressure is applied. However, it is clear that the spindle of Smith does not extend from the side as set forth in the claims at issue. Further, in Smith, the spindle is arranged coaxially with the fluid inlet 74 as opposed to the outflow port 55. Accordingly, Smith fails to disclose a spindle arranged coaxially with the discharge flow flange as claimed. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 19-21, 27 and 29 stand rejected under 35 U.S.C. 102(e) as being anticipated by Perkins. Applicants believe reference to 102(e) is a typographical error as Perkins was filed in 1975 and issued in 1977. In any case, applicant respectfully traverses the rejection.

The Examiner states that "the pressure of the fluid within the pressure vessel is active to hold the valve in said closed disposition (by virtue of the pressure acting on face 150')". Perkins, however, clearly states that it is the force exerted by the piston head 126' that controls the movement of the valve. In fact, the Perkins specifically states that the control system 80 controls the hydraulic pressure asserted through lines 84 and 86 to control valve operation. See, for example, column 7, lines 32-41 of Perkins. Thus, the Examiner's statement is incorrect. The valve of Perkins is not held in the closed disposition by the pressure of the fluid. Accordingly, Perkins fails to disclose all of the features of the claimed invention and cannot anticipate the claims under 35 U.S.C. 102.

The remaining claims are rejected under 35 U.S.C. §103 as being obvious in view of Smith or Perkins alone or in view of Smith or Perkins and various secondary references. Applicants submit none of the secondary references overcomes the deficiencies of Smith and

Perkins set forth above. Accordingly, all of the claims in this case are believed to be in condition for allowance, notice of which is respectfully urged.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

06 OCTOBER 2009

DATE

Marc A. Rossi

MARC A. ROSSI

REG. NO. 31,923

20609 GORDON PARK SQUARE, SUITE 150
ASHBURN, VA 20147
703-726-6020 (PHONE)
703-726-6024 (FAX)